

REMARKS

The Final Office Action mailed March 9, 2005 has been received and reviewed. Claims 57-89 are pending and stand rejected. Claims 57, 58 and 79 are amended. For the reasons stated herein, the Applicants submit that the claims are in condition for allowance.

Rejection Of Claims 57, 58, 60-62, 64-71, 74-76 and 78 Under 35 U.S.C. § 103(a)

Claims 57, 58, 60-62, 64-71, 74-76 and 78 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop in view of Badger. The Examiner repeats that Bishop shows a vehicle device that includes a plurality of components that can receive and evaluate radio signals and deactivate the components in the system, and the Examiner adds that since at least one of Bishop's components can operate to prevent operation of the object, Bishop meets the claimed limitation of "any one of the plurality of components . . . to prevent operation of the object." The Examiner repeats that Badger shows a vehicle-disabling system where a component receives a radio signal from flying bodies and permanently disables one of a plurality of components, the disabled component having to be replaced thereafter. The Examiner states that Badger additionally shows a satellite, and the receivers of Badger include decoder logic. Therefore, the Examiner contends that it would have been obvious to have the disabling component disable multiple other components in the vehicle to eliminate the need for disabling elements in every component. The Examiner also states that having a check sum in a communication for error detection is known, that the term worldwide ID is equivalent to teachings in Badger and Bishop, and that paging signals are well-known. The rejection is overcome by clarifying amendment of the claims.

Claim 57 is amended to more specifically clarify and recite a method for deactivation of an object having a plurality of electronic operating components where each component is essential to the use or operation of the object, where each is structured to receive a radio signal to initiate deactivation and each component is in

electrical communication with the other components to enable the components to check with each other to determine if at least one of the components was able to receive a radio signal from an air-borne source to initiate deactivation. Claim 57 incorporates the limitations of claim 58, and otherwise finds support at paragraphs [0010] and [0027] of the substitute specification submitted by the Applicants on December 4, 2003.

Bishop does not disclose or suggest a system where electronic operating components essential to the use or operation of the object (e.g., vehicle) are each structured to receive a radio signal to initiate deactivation. Bishop discloses a vehicle having a single receiver (1) for receiving an air-borne signal. The signal received by the single receiver is interpreted by a controller (2) and is sent to a transmitter (3) which, in turn, transmits a wireless signal to one or both of two slave relays (4, 9). Notably, relay 9 is capable of receiving a wireless signal transmitted from the transmitter (2), but operates to provide an audible warning, not disable the vehicle. (See paragraph [0037] of Bishop). None of these components of Bishop are essential to the use or operation of the vehicle. That is, the vehicle could still operate or be used without the receiver (1), controller (2), transmitter (3) and relays (4, 9). Bishop does not teach or suggest that the operating components of the vehicle (e.g., starter motor, ignition, etc.) are each capable of receiving an air-borne signal directly as claimed. Therefore, Bishop fails to teach or suggest a method as claimed where each electronic operating component is capable of receiving an air-borne signal to initiate deactivation of the object.

Regarding the Examiner's indication that paragraph [0031] of Bishop suggests a redundancy that meets the requirements of claim 57, the Applicants note that FIG. 2(a), which shows a slave relay with a normally closed configuration, and FIG. 2(b), which shows a slave relay with a normally open configuration, are suggested in the disclosure as being combinable to provide a slave relay with both open and closed configurations for effecting dual means for relaying an activation/deactivation signal to an operating element. Paragraph [0031] does not suggest in any way a plurality of electronic operating components or a plurality of components that are in intercommunication with

each other as claimed. Bishop, for that reason, does not obviate claims 57-78.

Moreover, Bishop fails to teach or suggest a method where each electronic operating component is in electronic communication with the other components to determine if at least one of the components received a radio signal from an air-borne source to initiate deactivation as claimed. Therefore, Bishop fails to teach or suggest a global protection method as required by claims 57-78.

While Badger discloses providing a disabling device connected to the battery of a car where the disabling device is capable of receiving an air-borne radio signal, like Bishop, the disabling device is not an essential operating component of the vehicle (i.e., the car will operate if the disabling device is removed). Thus, Badger fails to teach or suggest the claimed method of providing a plurality of electronic operating components wherein each is essential to operation of the object, wherein each is capable of receiving an air-borne radio signal to initiate deactivation and wherein each component is in electrical communication with the plurality of other electronic operating components to determine if at least one of the components has received such a signal. Therefore, even if the teachings of Bishop and Badger were combined, the combination would still not obviate claims 57-78 because the references fail to teach or suggest what is claimed. As stated previously, Bishop and Badger fail to establish a *prima facie* case of obviousness in view of the fact that there is no motivation to combine the references, the references do not contain any reasonable expectation of success concerning any such combination and, moreover, the references, in combination, fail to teach each element of the claims. Therefore, claim 57, as well as claims 58-78 which depend from claim 57 and include the limitations thereof, are not obviated by Bishop and/or Badger.

Rejection Of Claim 59 Under 35 U.S.C. § 103(a)

Claim 59 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop and Badger in view of Besharat. The Examiner repeats that Besharat, in an analogous art, shows an indication to the user that the communication device should be

brought within range to improve normal operation of the device, and that it would be obvious to provide an out-of-range error indication. The rejection is overcome for the reasons stated above, namely that Bishop and Badger, even if combinable, fail to establish a *prima facie* case of obviousness. That is, neither Bishop nor Badger teach providing a plurality of electronic operating components as claimed and, in combination, a method of global protection of objects having a plurality of electronic operating components where each component is essential to the use or operation of the object, where each is structured to receive a radio signal to initiate deactivation and each component is in electrical communication with the other components to enable the components to check with each other to determine if at least one of the components was able to receive a radio signal from an air-borne source to initiate deactivation. In view of their individual and combined lack of teaching or suggestion of the claimed invention, Bishop and Badger do not obviate claim 59. In addition, even if Besharat were combinable with Bishop and Badger, the combination would still fail to establish a *prima facie* case of obviousness with respect to claim 59.

Rejection Of Claims 63 and 77 Under 35 U.S.C. § 103(a)

Claims 63 and 77 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Badger and Bishop as applied to claim 57 and further in view of U.S. Patent No. 5,532,690 to Hertel. For the reasons stated above, claims 63 and 77, which depend from claim 57 and include the limitations thereof, are not obviated by Bishop and Badger. That is, even if combined, Bishop and Badger fail to teach all of the claimed limitations, including providing an object having a plurality of electronic components where each component is essential to the use or operation of the object, where each is structured to receive a radio signal to initiate deactivation and each component is in electrical communication with the other components to enable the components to check with each other to determine if at least one of the components was able to receive a radio signal to initiate deactivation. Hertel teaches a means of

disabling a vehicle upon the exceeding of a set boundary or upon entry into unauthorized territory. Even if combinable with Bishop and Badger, the resulting combination would still not obviate claims 63 and 77 because they fail, in combination, to teach or suggest the elements of the claimed invention.

Rejection Of Claims 72 and 73 Under 35 U.S.C. § 103(a)

Claims 72 and 73 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop and Badger in view of Szarka. The Examiner repeats that in analogous art, Szarka shows a vehicle disablement system that uses an interrogation-response communication to determine location and authenticity of the vehicle to properly disable the vehicle, and that it would have been obvious to provide such an improved security in the disablement system. The rejection is overcome for the reasons stated previously with respect to the fact that Bishop and Badger fail to establish a *prima facie* case of obviousness because neither teaches all of the claim limitations, including providing an object having a plurality of electronic operating components where each component is essential to the use or operation of the object, where each is structured to receive a radio signal to initiate deactivation and each component is in electrical communication with the other components to enable the components to check with each other to determine if at least one of the components was able to receive a radio signal to initiate deactivation. Additionally, Szarka teaches a system where a plurality of non-air borne transmitters transmit a continuous radio signal received by a vehicle such that only upon discontinuity of the radio signal is the vehicle disabled. Even if Szarka were combinable with Bishop and Badger, which the Applicants submit that it cannot, the combination of references would still not obviate that which is required by claims 72 and 73.

Rejection Of Claims 79-84 Under 35 U.S.C. § 103(a)

Claims 79-84 are rejected as being unpatentable over Bishop in view of Badger.

The Examiner states that Bishop shows a vehicle device that includes a plurality of components that can receive and evaluate radio signals and deactivate the components in the system, and states that paragraph [0031] of Bishop suggests that the embodiments of figures 2a and 2b can be combined into a single embodiment to provide two operating components 203 to control vehicle accessory 205, thereby providing a redundancy in the system. The rejection is overcome with clarifying amendment of claim 79.

The Applicants again note that both Bishop and Badger fail to teach or suggest an object having a plurality of electronic operating components where each component is essential to the use or operation of the object, where each is structured to receive an air-borne radio signal to initiate deactivation and each component is in electrical communication with the other components to enable the components to check with each other to determine if at least one of the components was able to receive a radio signal to initiate deactivation. Additionally, paragraph [0031] of Bishop discloses that a single slave relay can be provided having both open and closed circuitry as a redundant means of deactivating an operational component of the vehicle (i.e., deactivation by closing the circuit responsive to receiving a wireless signal from the transmitter (2) or deactivation by opening the circuit responsive to receiving a wireless signal from the transmitter (2)). Paragraph [0031] does not teach or suggest a plurality of electronic operating components structured as claimed. Nor does paragraph [0031] teach or suggest a plurality of electronic operating components, each essential to the use or operation of the object, which are in electrical communication with each other to determine if at least one of the electronic components has received an air-borne signal. Therefore, Bishop cannot obviate claims 79-84. As argued above, Badger also fails to teach a plurality, or even a single, electronic operating component as claimed which is essential to operation or use of the object and which is capable of receiving an air-borne radio signal to initiate deactivation of the object. Even if Bishop were combined or combinable with Badger, the combination would still not teach the claimed elements.

Claims 79-84 are not obviated by Bishop and Badger, therefore.

Rejection Of Claims 85, 87 and 88 Under 35 U.S.C. § 103(a)

Claims 85, 87 and 88 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop and Badger in view of Kaish. The Examiner states that in analogous art, Kaish shows a disabling device that renders electronic appliances inoperable to dissuade theft. The Examiner takes official notice that the claimed elements are common, well-known electronic appliances and it would have been obvious to modify the disabling system to render the electronic keys and smart cards inoperable to deter theft. The rejection is overcome for the reasons stated above with respect to the fact that neither Bishop nor Badger, alone or in combination, establish a *prima facie* case for obviousness of claim 79 because neither teaches or suggests electronic operating components which are essential to the use or operation of the object, and which are capable of each receiving an air-borne radio signal, and which are in electronic intercommunication as claimed. Additionally, Kaish discloses a method for rendering a device inoperative after the occurrence of a disabling event (see column 3, lines 55-56). Since the claims do not recite a two-step disablement and inoperative structure or process, Kaish, even if combinable with Bishop and Badger, would not obviate claims 85, 87 and 88.

Rejection Of Claims 86 and 89 Under 35 U.S.C. § 103(a)

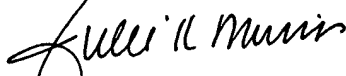
Claims 86 and 89 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop and Badger in view of Rohrbach. The Examiner repeats that in analogous art, Rohrbach shows a disabling device that renders portable telephone appliances inoperable to prevent theft and that it would have been obvious to use a modified disabling system to render a portable telephone appliance inoperable to deter theft. Claims 86 and 89 are not obviated by Bishop or Badger, alone or in combination, for the reasons stated previously with respect to claim 79 (i.e., neither teaches nor

suggests that which is claimed with respect to electronic components essential to operation of the object which are capable of receiving air-borne radio signals and are intercommunicating components). Neither does Rohrbach teach a disabling system comprising a plurality of intercommunicating components as claimed. Therefore, the combination of Rohrbach with Bishop and Badger would still not obviate claims 86 and 89.

CONCLUSION

In view of the amendments and arguments presented herein, the Applicants submit that claims 57-89 present patentable subject matter. Reconsideration and allowance are requested.

Respectfully submitted,



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Date: May 9, 2005

ABSTRACT OF THE DISCLOSURE

~~Devices and methods are disclosed for~~ In the global protection of objects with structured with electronic components[.]. ~~Security~~ security devices, e.g., in a vehicle, become active by at least one component, and/or information within at least one component that is essential for operation of the vehicle is deactivated irreversibly and or erased, so that even a disassembly or bridging of the component concerned can achieve no effect, since acquisition of a functional replacement part is not available. The components can, for example, be placed in the motor electronics, the steering column lock, the door lock, and/or the key, and through miniaturization of the receiver, any electronic device can be protected including, among other things, radio telephones, (Euro-)checkcards and cash cards, credit cards, telephone cards, keys to electronic systems, mobile electronic devices, such as cassette recorder, CD players, clocks, computers, etc.